

### **REMARKS**

Applicants appreciate the Examiner's thorough examination of the present application as evidenced by the Final Office Action of August 22, 2006 (hereinafter "Final Action") and the Decision on Appeal of November 28, 2008. In response, Applicants have amended independent Claims 1, 10, and 18 to clarify that the status information comprises job category and/or access zone information, which is not disclosed or suggested in the cited references. Accordingly, Applicants submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

#### **Petition to Revive**

A Notice of Abandonment was mailed March 3, 2009 in the present case. Applicants have filed a Petition to Revive concurrent with this response as the Notice of Abandonment is premature.

#### **Independent Claims 1, 10, and 18 are Patentable**

Independent Claims 1, 10, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent Publication No. US 2003/0023722 to Vinberg (hereinafter "Vinberg") in view of U. S. Patent Publication No. 2004/0148526 to Sands et al. (hereinafter "Sands"). Independent Claim 1 is directed to a method of outputting an alert and recites, in part:

...  
obtaining a status from a sensor;  
retrieving personnel information comprising identity and status  
information for the personnel from a database, the personnel information relating  
to the sensor;  
generating the alert;  
applying a filter to determine whether to modify a severity of the alert; and  
outputting the alert;  
wherein the status information comprises job category and/or access zone

information. (Emphasis added)

Independent Claims 10 and 18 include similar recitations. Thus, according to independent Claim 1 as amended, the personnel information stored in the database includes both identity and status information for the personnel. Moreover, the status information comprises job category and/or access zone information. Such embodiments are described, for example, on page 8, paragraph 24 of the Specification where the text explains that the personnel information can include various identity information along with status information, such as job category and/or authorized access zones for the various individuals.

The Final Action acknowledges that Vinberg does not disclose retrieving personnel information comprising identity and status information from a database, but alleges that Sands provides the missing teachings. (Final Action, page 3). Sands is directed to a security method and system for authenticating a person's identity based on biometric information. (*See, e.g.*, Sands Abstract and paragraphs 7, 19, 24, and 37). The Final Action alleges that Sands discloses retrieving identity (biometric profile) and status information (disabled/not-disabled) information from a database. (Final Action, page 9). Applicants submit, however, that Sands fails to disclose or suggest that the status information comprises job category and/or authorized access zones


For at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 10, and 18 are patentable over Vinberg and Sands, and that Claims 2 - 9, 11 - 17, 19, and 20 are patentable at least per the patentability of independent Claims 1, 10, and 18.

### **CONCLUSION**

In light of the above remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

In re: Jeffrey A. Aaron et al.  
Serial No.: 10/675,517  
Filed: September 30, 2003  
Page 8

Respectfully submitted,



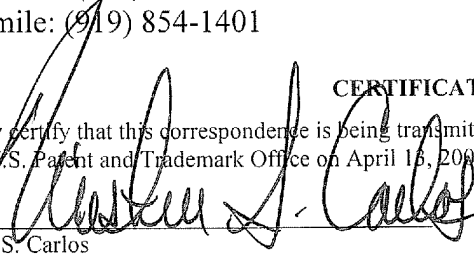
D. Scott Moore  
Registration No. 42,011

**USPTO Customer No. 39072**

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401

**CERTIFICATION OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on April 15, 2009.



Kirsten S. Carlos